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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA ABRAM DISKIN,

Defendants.

Case No. CR 17-60-BLG-SPW

**DEFENDANT'S
MOTION TO SUPPRESS AND
REQUEST FOR HEARING**

Defendant Joshua Abram Diskin (Mr. Diskin), by and through his attorneys, Mark S. Werner and the Federal Defenders of Montana, hereby moves pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure and the Fourth Amendment to the United States Constitution for an order suppressing any and all evidence seized as a result of a telephonic search warrant issued on October 14, 2016.

Pursuant to Local Rule, the United States has been contacted. It is anticipated the government through Assistant U.S. Attorney John D. Sullivan will oppose this motion.

A brief in support of this motion has been separately filed at the same time as the motion. If this Court allows a hearing , the defense most likely will call at least one witness. The number of government witnesses is unknown at this time.

RESPECTFULLY SUBMITTED this 5th day of July, 2018.

/s/ Mark Werner

MARK S. WERNER

Senior Litigator

Counsel for Defendant

CERTIFICATE OF SERVICE
L.R. 5.2(b)

I hereby certify that on July 5, 2018, a copy of the foregoing document was served on the following persons by the following means:

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1. CLERK, UNITED STATES DISTRICT COURT
2. JOHN SULLIVAN
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3. JOSHUA ABRAM DISKIN
Defendant

/s/ Mark Werner
FEDERAL DEFENDERS OF MONTANA